THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.7218 of 2007

Between:

Ramayanam Padmavathi.

.. PETITIONER

and

The Circle Inspector of Police,
and others.

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RESPONDENTS

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ORDER:

The petitioner submits that she is the owner and possessor of the

agricultural land to an extent of Ac.3-19 cents in Sy.No.1935/1 of Losara Gutlapadu village, Bhimavaram Mandal, West Godavari District. When the 3rd respondent tried to interfere with the peaceful possession and enjoyment of the said property, she filed O.S.No.30 of 1993 on the file of Principal Junior Civil Judge, Bhimavaram, West Godavari District, seeking permanent injunction restraining the 3rd respondent herein from interfering with her peaceful possession and enjoyment of the suit schedule property. But, the trial court dismissed the said suit on 16-03-1999. Aggrieved by the same, she preferred A.S.No.17 of 1999 on the file of II Additional District Judge-cum-Fast Track Court, Bhimavaram. The Appellate Court through judgment, dated 30-12-2005, dismissed the appeal confirming the order of the trial court. Aggrieved by the same, she filed Second Appeal before this court along with an application to condone the delay, in which a notice has been ordered.

It is stated that at the instance of the 3rd respondent, respondents 1 and 2 are calling the petitioner to the police station and pressurizing her to compromise the matter with the 3rd respondent. It is stated that the police cannot interfere with the civil disputes of the petitioner with regard to the immovable property.

It is true that the police cannot interfere with the civil disputes of the petitioner and if there is any such interference, the concerned police officials are liable for departmental action. But, however, without making any representation before the Superintendent of Police, it may not be just and proper to issue any Writ of Mandamus against respondents 1 and 2.

Having regard to the facts and circumstances of the case, if there is any illegal interference by respondents 1 and 2 with regard to the civil disputes of the petitioner, it is open for the petitioner to make a representation before the Superintendent of Police, West Godavari. On

such representation, if no action is taken by the Superintendent of Police, it is always open for the petitioner to approach before this court seeking appropriate directions.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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10-04-2007

Note:
Issue C.C. by tomorrow
(B/o)
Prv